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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,242	12/07/2004	Mitsuaki Morimoto	62538 (70551)	3118
21874	7590	02/09/2006	EXAMINER	
<b>EDWARDS &amp; ANGELL, LLP</b> P.O. BOX 55874 BOSTON, MA 02205				FERGUSON, MARISSA L
		ART UNIT		PAPER NUMBER
				2854

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/517,242	MORIMOTO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Marissa L. Ferguson	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 07 December 2004.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-18 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-18 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 07 December 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 12/7/04.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

#### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 5,6, 13 and 15-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner does not understand the phrase "nearly- rectangular".

#### *Claim Rejections - 35 USC § 102*

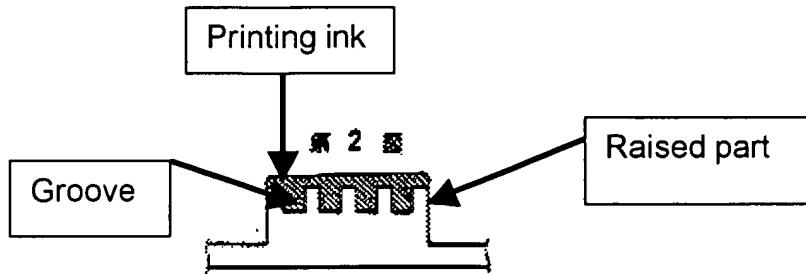
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Mamoru (JP 62-059093).

Regarding claims 1,9 and 10, Mamoru teaches a method and apparatus comprising a printing plate comprising a raised part for transferring printing substance to a printing substrate, the raised part including, on its printing surface, a groove passing through from one side to another thereof (Abstract and please refer to figure 2 below).



Regarding claim 2, Mamoru teaches a method and apparatus wherein the groove has a nearly triangular cross section (Figures 8a, 8b).

Regarding claim 3, Mamoru teaches a method and apparatus wherein a plurality of the grooves extend in one direction and parallel to each other and are equally spaced apart (Figure 2).

3. Claims 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Noboru (JP 2001-171066).

Noboru teaches a method of printing by pressing in a flexographic printing press (Figures 1A-1C and Figures 3A-3C and Paragraphs 008, 0010) on a printing substrate (D), a printing plate (1) including a raised part (10), a raised part (10) for transferring a substrate, a plurality of grooves (11) and the step of transferring a substance to a substrate by disposing a printing plate on the surface of a cylindrical plate cylinder and rotate a plate cylinder (Figure 4a).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mamoru (JP 62-059093) in view of Dreher et al. (US Publication 2004/0126682).

Regarding claims 4, Mamoru teaches the claimed method and apparatus with the exception of a flexographic press with a printing plate wherein said groove has a width along the printing surface of said raised part not less than 20  $\mu\text{m}$  and not more than 60  $\mu\text{m}$ , a depth not less than 25  $\mu\text{m}$  and not more than 75  $\mu\text{m}$ , and a distance between the grooves of not less than 20  $\mu\text{m}$  and not more than 60  $\mu\text{m}$ . Dreher et al. teaches a press (12) with a flexographic printing plate with relief grooves with heights/depth varying of 5  $\mu\text{m}$  to 30  $\mu\text{m}$ . It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention as taught by Mamoru to include the grooves with different heights/depth as taught by Dreher et al., since Dreher et al. teaches that it is advantageous to provide an easier method of obtaining optimizing high print quality.

Dreher et al. does not teach varying the width and/or distance between the grooves. However, it has been held that where general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Geisler*, 43 USPQ 1362. It would have been obvious to

have the claimed width and distance variations of the grooves since such a modification would result in regulating the amount of ink transferred during printing thereby providing good print quality.

Regarding claims 5 and 6, Mamoru teaches the claimed method and apparatus with the exception of wherein a side of the near-rectangle frame is parallel to a longitudinal direction of said groove, a raised part that is provided such that the side of the frame is in a slanting direction relative to a moving direction of said printing plate and wherein the side of the near-rectangle and a longitudinal direction of said groove form an angle of approximately 45°. Dreher et al. teaches frame that is parallel to a longitudinal direction of the relief grooves, a slanting side of the near-rectangular frame (Refer to figure 1 below). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention as taught by Mamoru to replace frame thereof with a frame with a slanting side as taught by Dreher et al., since Dreher et al. teaches that it is advantageous to prevent any air spacing that may disrupt the print quality.

With regards to the side of the frame and longitudinal direction of the grooves forming a 45°, Dreher et al. teaches some type of angle, however the degree of the angle is not disclosed. However, it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617 F. 2d 272, 205 USPQ 215 (CCPA 1980). It would have been obvious to have the claimed angle, since such a modification would result in providing good quality print.

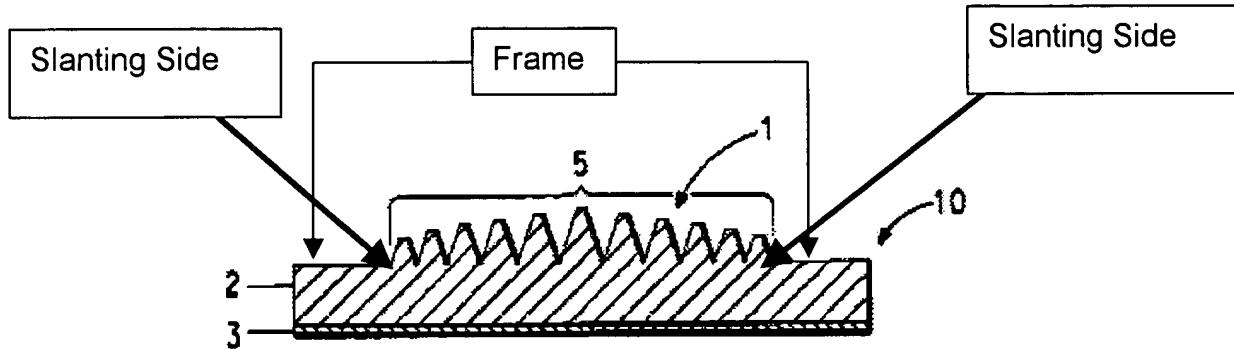


FIG. 1

Regarding claim 7, Mamoru teaches the claimed method and apparatus with the exception of wherein a moving direction of a printing plate is substantially perpendicular to the longitudinal direction of the groove. Dreher teaches moving a printing plate in a direction perpendicular to the grooves as shown in figure 2. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention as taught by Mamoru to include a printing plate that is perpendicular to the longitudinal direction of the groove as taught by Dreher et al., since Dreher et al. teaches that it is advantageous to allow a smooth transition and compression of the relief elements.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mamoru (JP 62-059093) in view of Dreher et al. (US Publication 2004/0126682) as applied to claim 1 above, and further in view of Harumoto (JP 2001-171066).

Mamoru and Dreher et al. both teach the claimed method and apparatus with the exception of wherein a moving direction of a printing plate is substantially parallel to the longitudinal direction of the groove. Harumoto teaches a relief printing plate with raised portions (elements 10 and 11 form relief element 12) wherein the moving direction of the plate is parallel to the direction of the grooves (Figure 4a). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention as taught by Mamoru to include a printing plate that is parallel to the longitudinal direction of the groove as taught by Harumoto., since Harumoto teaches that it is advantageous to allow a smooth transition by upgrading printing accuracy by preventing ink from oozing out of a colored region.

5. Claims 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noboru (JP 2001-171066) in view of Nakayama (JP 11-183918).

Noboru teaches the claimed invention with the exception of manufacturing a liquid crystal device comprising a printing plate and a sealing material wherein the sealing material is a sealing material for a flat panel display. Nakayama teaches a method of manufacturing a LCD with a sealing material (6) that is formed in a display area (Abstract and Solution). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention as taught by Noboru to include a sealing material in a LCD as taught by Nakayama, since Nakayama teaches that it is advantageous to provide a material with excellent strength and flexibility thereby preventing the degradation of the film.

6. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noboru (JP 2001-171066) in view of Nakayama (JP 11-183918) as applied to claim 13 above, and further in view of Dreher et al. (US Publication 2004/0126682).

Noboru and Nakayama both teach the claimed method and apparatus with the exception of a flexographic press with a printing plate wherein said groove has a width along the printing surface of said raised part not less than 20  $\mu\text{m}$  and not more than 60  $\mu\text{m}$ , a depth not less than 25  $\mu\text{m}$  and not more than 75  $\mu\text{m}$ , and a distance between the grooves of not less than 20  $\mu\text{m}$  and not more than 60  $\mu\text{m}$ , a longitudinal direction of the grooves forming a 45° and moving a printing plate in a direction perpendicular to the groove . Dreher et al. teaches a press (12) with a flexographic printing plate with relief grooves with heights/depth varying of 5  $\mu\text{m}$  to 30  $\mu\text{m}$  and a plate moving in a direction perpendicular to the grooves (Figure 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention as taught by Noboru to include the grooves with different heights/depth as taught by Dreher et al., since Dreher et al. teaches that it is advantageous to provide an easier method of obtaining optimizing high print quality.

Dreher et al. does not teach varying the width and/or distance between the grooves. However, it has been held that where general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Geisler, 43 USPQ 1362*. It would have been obvious to have the claimed width and distance variations of the grooves since such a modification

would result in regulating the amount of ink transferred during printing thereby providing good print quality.

With regards to the side of the frame and longitudinal direction of the grooves forming a 45°, Dreher et al. teaches some type of angle, however the degree of the angle is not disclosed. However, it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch, 617 F. 2d 272, 205 USPQ 215 (CCPA 1980)*. It would have been obvious to have the claimed angle, since such a modification would result in providing good quality print.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over in view Noboru (JP 2001-171066) in view of Nakayama (JP 11-183918) and Dreher et al. (US Publication 2004/0126682) as applied to claim 14, and further in view of Harumoto (JP 2001-171066).

Noboru, Nakayama, and Dreher et al. all teach the claimed method and apparatus with the exception of a method wherein a moving direction of a printing plate is substantially parallel to the longitudinal direction of the groove. Harumoto teaches a relief printing plate with raised portions (elements 10 and 11 form relief element 12) wherein the moving direction of the plate is parallel to the direction of the grooves (Figure 4a). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention as taught by Noboru to include a printing plate that is parallel to the longitudinal direction of the groove as taught by

Harumoto, since Harumoto teaches that it is advantageous to allow a smooth transition by upgrading printing accuracy by preventing ink from oozing out of a colored region.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (7.96).
  - a. Kuczynski et al. (US Publication) teaches a method of production for a flexographic plate.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L. Ferguson whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner  
Art Unit 2854

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January 26, 2006



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